

22.02.2024

Ct. no.654

Sl. No.177

ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

**WPA 2692 of 2023
(Specially Assigned)**

**Dinesh Modak
Vs.
Union of India & Ors.**

Sk. Samim Akhter

..for the petitioner

Ms. Manika Roy

Ms. Shinjita Ray

... for the N.H.A.I.

Affidavit of service filed by the petitioner is taken on record.

None appears on behalf of the State.

Mr. Priyabrata Batabyal, learned Advocate who usually appears on behalf of the State, is requested to appear in this matter. Let appointment of Mr. Priyabrata Batabyal, learned Advocate be regularised by the concerned authority.

Learned Advocate for the petitioner is requested to hand over copy of the writ petition along with its annexures upon the learned Advocate for the State-respondent.

This is an application under Article 226 of the Constitution of India filed by the petitioner for a direction upon respondent no.7 to supply a copy of the award.

The Special Land Acquisition Officer, Purulia, being the respondent no.7 passed an award amounting to

Rs.12,14,211/-. The petitioner through his learned advocate submitted a prayer for getting a copy of the award. Since the same has not been handed over to the petitioner, hence the petitioner has filed the present writ petition.

Both the learned advocates for the State respondents as well as N.H.A.I. leave the matter to the discretion of the Court.

Upon hearing the learned advocates for respective parties and considering the materials on record, the Special Land Acquisition Officer, Purulia, being the respondent no.7, is directed to hand over a copy of the award to the petitioner in accordance with law within a period of one month from the date of communication of a copy of this order.

The learned advocate on record for the petitioner is directed to communicate this order along with a copy of the Advocate's letter dated 29th August, 2022 to respondent no.7, Special Land Acquisition Officer, Purulia.

Since no affidavit has been invited, allegation contained in the writ petition shall be deemed not to have been admitted.

It is made clear that the Court has not gone into the merits of the case.

With the above directions, this writ petition being **WPA 2692 of 2023** stands disposed of along with all connected applications, if any.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)